

**Upper Rapidan Watershed  
Total Maximum Daily Load (TMDL) Implementation Plan  
Final Public Meeting  
James Madison's Montpelier  
August 13, 2015, 6:00 pm**

**Attendees:**

Jenny Biche, Rappahannock-Rapidan Regional Commission  
R. Bradford, Citizen  
Betsy Brantley, Citizen  
Henny Calloway, Culpeper Soil and Water Conservation District  
Jane Dalton, Citizen/Old Rag Master Naturalists  
Michelle Edwards, Rappahannock-Rapidan Regional Commission  
Darrell Scott Fox, Citizen  
Nancy Frost, Citizen  
Amber Galaviz, Orange Newspaper  
Kathleen Harrigan, Friends of the Rappahannock  
Douglas Jennings, Citizen  
Charlie Lunsford, Department of Environmental Quality  
Byron Petrauskas, Blue Ridge Environmental Solutions  
Dr. H. Putz, Citizen  
S. Putz, Citizen  
Mike Saxton, Citizen  
May Saxton, Citizen  
Rebecca Shoemaker, Department of Environmental Quality  
May Sligh, Department of Environmental Quality  
Jeffrey Walker, Rappahannock-Rapidan Regional Commission  
Greg Wichelns, Culpeper Soil and Water Conservation District  
Spencer Yager, Culpeper Soil and Water Conservation District

**Welcome & Introductions**

Jeffrey Walker welcomed attendees and introductions were made.

**Implementation Activity in Adjacent Watersheds:**

Greg Wichelns provided an overview of the Upper Hazel, Upper York and Robinson River Watershed TMDL implementation activities and successes, due in part to the availability of 100% cost-share for livestock stream exclusion practices. Several streams in each of the three watersheds showed marked improvement in water quality due to the implementation actions. At least one stream in each of the three watersheds has been de-listed from DEQ's impaired waters list or is close to being de-listed.

After the completion of Greg Wichelns presentation, an inquiry was made as to whether or not attendees would be informed of this effort's plans for improving the water quality in the Upper Rapidan Watershed, to which Greg Wichelns replied that the information was going to be shared during the next presentation.

### **Summary of Draft Upper Rapidan Watershed Implementation Plan:**

Byron Petrauskas delivered a presentation summarizing the Draft Upper Rapidan Watershed Implementation Plan (IP). A list of implementation actions, cost analysis, benefit analysis, measureable goals and milestones, public participation process, stakeholder roles and responsibilities, and potential funding sources were included.

### **Questions and Answers:**

Following Byron Petrauskas's presentation, May Sligh and Michelle Edwards fielded questions from attendees. The following questions, comments and answers were shared:

Q: "My wife and I own 946 acres along Beautiful Run. There are only three people that live along this stream. How serious is *E.coli* pollution in this area when there is only one cow per one and half acres of land? How did you investigate and measure *E. coli* ? You took samples in January and February, but there are no cows in the water during January and February. Who pays me for the loss of land due to setbacks or conversion to cropland or woodland? Why are you only blaming farmers; what about the urban situation?" The attendee left without waiting for an answer.

Q: "What were the primary barriers to implementation for the past IPs discussed in the Culpeper Soil and Water Conservation District (CSWCD) presentation? Do we anticipate similar issues in the Upper Rapidan IP, and can we try to address them before they become barriers?"

A: Greg Wichelns stated that CSWCD has more farmers signed up for cost-share programs than they have funding for. "CSWCD tends to run out of funding for both agricultural and residential cost-share programs. That said, not everyone is signing up to participate in cost-share. The reason they do not participate is often complicated and complex. For some it has to do with family dynamics, some of the family wants to participate but others do not. Some generations want to participate and some do not. Often a decision cannot be made because one person in the family can't decide or doesn't agree. There are a myriad of factors."

Q: "Are people afraid to come forward and admit they have a failing septic system?"

A: Henny Calloway, CSWCD, stated that once residents know there is cost-share money available, they tend to participate. Greg Wichelns, CSWCD, added that there is sometimes hesitancy from low-income residents. Charlie Lunsford, DEQ, stated that the Health Department tries to work with residents who do come forward, and not necessarily through enforcement, providing homeowners ample time to address the issue. It was suggested that more education be directed to low-income residents, letting them know what their out of pocket costs would be and partnering with other agencies and non-profits to help with financial assistance.

Q: "Who or what organization has overall, primary responsibility for implementation? Who is in charge?"

A: May Sligh, DEQ, stated that after the IP is approved by EPA, DEQ works with a variety of organizations to implement it. DEQ releases a Request for Proposal (RFP) and the Soil and Water Conservation Districts (or other sponsor) submit project proposals, with sometimes more than one Soil and Water Conservation District working together on a single project where jurisdictional boundaries

overlap. The Soil and Water Conservation Districts typically take the lead on implementation projects, working with the other partners. Each project is designed to be holistic, covering a broad range of goals; it cannot only address agriculture issues for example. Charlie Lunsford, DEQ, commented that each DEQ region has a Non-point Source Coordinator, and in this region, the Coordinator is May Sligh, who is the facilitator of IP development and implementation. While DEQ is the lead agency in this process, there are many organizations working together to make implementation happen.

Q: "Is there any data that suggests what the economic benefits would be in terms of return on investment to the area (i.e. increased recreation use)? This might suggest other funding sources."

A: Greg Wichelns, CSWCD, stated that the 100% cost-share program brought in a significant amount of work to the region for fencing needs, plumbing, well drilling, fence materials, water troughs, etc. and it was all completed with local jobs. Many of these businesses offered to conduct the cost-share program outreach for the CSWCD. Michelle Edwards, RRRC, added that livestock studies have demonstrated that clean water improves herd health and therefore can increase farmers' revenue. Jeffrey Walker, RRRC, commented that the better the region works together as a community the more competitive the region becomes in securing other grant funding, such as financial assistance for roads, attracting employers to the region, etc. It also makes the region more desirable when neighbors work together and neighboring counties support one another. Additionally, May Sligh, DEQ, pointed out that the Shenandoah National Park is within the watershed and draws many tourists who come and spend money locally. The Rapidan River is also known nationwide for its trout fishing. Charlie Lunsford, DEQ, suggested the cost/benefit section of the Technical Plan expand on the recreational benefits of the streams, pointing out that improving the water quality will protect and enhance these benefits.

Q: "Are there potential synergistic incentives encouraging landowners to establish riparian buffers with multiple uses? For example, could riparian buffers be established that are part of a recreational pedestrian greenway? If so, would there be funding and incentives available for residential landowners?"

A: Greg Wichelns, CSWCD, stated that the cost-share program for riparian buffers includes a list of plant species that must be used, that are chosen because they attract and benefit wildlife. May Sligh, DEQ, commented that while DEQ has not worked on a recreational pedestrian greenway in the past as part of an IP project, it is a good idea and could be an opportunity to work with other partners. There may be opportunities for other funding sources to be blended with 319 funds, such as Land and Water Conservation Funds. Jane Dalton, citizen and Old Rag Master Naturalist, pointed out that the Hawksbill Greenway in Luray, Virginia is a good example of a protected riparian corridor that has multiple uses.

Q: "What is the best way for potential volunteers to get involved?"

A: May Sligh, DEQ, replied that anyone interested in volunteering should contact her. Volunteers are needed for things like citizen monitoring, assistance with installing rain gardens and planting trees. Michelle Edwards, RRRC, stated that the RRRC's Backyard Rainscaping Program is always looking for volunteers. Kathleen Harrigan, Friends of the Rappahannock (FOR), recommended volunteers become ambassadors in their communities, telling their friends, family and neighbors about the program available and incentives offered. People are more likely to listen to a friend or someone they know, than take advice from a person from outside the community.

Q: "My property has multiple springs and a pond, and is in an area that serves 15 homes. I have no livestock, just geese, and no septic system issues. How can I get water quality testing done on my property? I am right across from Poplar Run, just upstream."

A: Greg Wichelns, CSWCD, stated that if the resident was willing to pay for the analysis, he could connect him with a business that conducts water quality testing. May Sligh, DEQ, stated that citizen monitoring may be an option. She also suggested that he and his neighbors should consider getting their septic tanks pumped, if they have not already, as part of regular maintenance. She recommended they get in touch with Henny Calloway, CSWCD. Rebecca Shoemaker, DEQ, stated that the monitoring station on Poplar Run is not a DEQ station. She will research the matter, and if it is a citizen monitoring station, connect him with the citizen group to see if they are willing to assist him. *(Since the meeting it was discovered that the map provided at the meeting for orientation did not include the monitoring station for Poplar Run because it was just listed as part of the 2014 Integrated Report and those maps have not yet been released, so the RRRC did not yet have access to them through the DEQ website. The listing station for the Poplar Run impairment is located at the confluence of Poplar Run and the Rapidan River, and is included on the map (Figure 4) in the draft IP document. The station at the headwaters of Poplar Run shown on the map at the meeting is believed to be an older macroinvertebrate citizen monitoring station.)*

With no more questions being asked, the meeting was concluded. Jeffrey Walker, RRRC, thanked James Madison's Montpelier for their generosity and hospitality in providing the meeting space. May Sligh encouraged attendees to review the draft TMDL-IP and associated materials available on DEQ's website. The public comment period extends for 30 days.

**Please send comments on the Draft IP by September 14, 2015 to May Sligh at [may.sligh@deq.virginia.gov](mailto:may.sligh@deq.virginia.gov)**

**Documents can be found for review at:**

**<http://www.deq.virginia.gov/programs/water/waterqualityinformationtmdls/tmdlimplementation/tmdlimplementationprogress.aspx>**